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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/702,208

11/04/2003

Kyung Sook Lee

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12/03/2008

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EXAMINER

BALAOING, ARIEL A

ART UNIT

PAPER NUMBER

2617

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/702,208	<b>Applicant(s)</b> LEE, KYUNG SOOK	
	<b>Examiner</b> ARIEL BALAOING	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 13,17,18,21,25,26,31,35,36,41,44 and 45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13,17,18,21,25,26,31,35,36,41,44 and 45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Response to Arguments***

1. Applicant's arguments filed 08/26/2008 have been fully considered but they are not persuasive.

Regarding claim 13, and similarly claims 21, 31, and 41, the applicant argues:

*"Lee relates to a method of transmitting or receiving a broadcast message in a mobile communication system enabling the transmission of a broadcast message including a video. Claim 13 recites "transmitting first and second information in a general page message over a paging channel for a present paging period in a communication cycle having a plurality of time slots, wherein the first information informs arrival of a broadcasting short message and the second information indicates position of a specified slot in said plurality of time slots and for transmitting a data burst message through the specified slot." The Examiner cites Lee, Fig.1, for teaching a "first and second information ... wherein the first information informs arrival of a broadcasting short message and the second information indicates position of a specified slot." Fig. 1 is related to the related art and shows a general page message having a plurality of slots in which slot 0 indicates a number of messages that are included in the general page message. The slot location for each message is predetermined by  $3 \times n$  wherein  $n$  is the message number (see, Lee, paragraph 0010).*

*Lee's does not teach transmitting a first information wherein the first information informs arrival of a broadcasting short message. Instead, Lee's related art information is the number of messages in the general page message. Lee also does not teach*

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*transmitting a second message wherein the second message indicates the position of a specified slot for a data burst message. Lee's related art does not transmit any information regarding the position of a data burst message, but instead Lee's related art infers the location through the number of messages.*

*The invention of claim 13 is different than Lee's related art because the invention of claim 13 includes a second information containing a slot location for a data burst message. Claim 1's data burst message may occur at any identified location of the plurality of slots in the present paging period, not just the locations of the implied slots described by Lee's related art. For at least this reason, Lee's related art does not teach "transmitting ... second information in a general page message ... wherein ... the second information indicates position of a specified slot in ... and for transmitting a data burst message through the specified slot." (see page 5 and 6 of the remarks); the examiner respectfully disagrees.*

While, Paragraph 10 shows an embodiment of Figure 1 wherein the location of the broadcast message corresponding to the broadcast page is in slot location  $3 \times n$ , **Paragraph 6** teaches that *"the base station informs a terminal of information for transmitting the data burst message using a broadcast page record. In this case, the data burst message is a broadcast message transmitted through a paging channel, and a broadcast page is a record in the general page message so as to inform a mobile station that a broadcast message is transmitted to which location of a slot at a slotted mode."* Therefore, a page record (first information) is used to alert a mobile station the

location of a slot that contains a broadcast message (second information) in a slotted mode.

***Claim Rejections - 35 USC § 103***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 13, 17, 18, 21, 25, 26, 31, 35, 36, 41, 44, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over LEE et al (US 2002/0051442 A1) in view of CHANDER et al (US 5,909,651).

Regarding claim 13, LEE discloses a system for communicating information (abstract; Figure 1, 2) comprising: a mobile communication network for transmitting first and second information [**broadcast page**] over a paging channel for a present paging period in a communication cycle (Figure 1) having a plurality of time slots (paragraph 6, 12-15; broadcast page message is used to *inform a mobile station that broadcast message is transmitted to which location of a slot*, see paragraph 6, and 13), wherein the first information informs arrival of a broadcasting message and the second information indicates position of a specified slot in said plurality of time slots and for transmitting a data burst message **S11, S21** through the specified slot (paragraph 6, 12-15); and a mobile communication terminal [**mobile station**] for searching for the first and second information during the preset paging period with respect to the paging channel and determining a slot based on the first and second information, and receiving a data burst message including the broadcast message carried on the determined slot

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(paragraph 6, 12-15; mobile station determines whether to receive broadcast message using information provided by broadcast page; see paragraph 15. Also, see Figure 1 with regards to the broadcast page received in slot 0 to determine location of broadcast message). However, LEE does not expressly disclose wherein the broadcast message is a broadcast short message. In the same field of the endeavor, CHANDER discloses wherein a broadcast message is a broadcast short message [**SMS message**] (abstract; col. 2, line 1-65). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify LEE to include a text broadcast message, such as an short message, as taught by CHANDER, since broadcasting short messages over a paging channel is well known and established in the art of wireless communication.

Regarding claim 17, see the rejections of the parent claim regarding the subject matter this claim is dependent upon. The combination of LEE and CHANDER further disclose wherein the broadcasting short message comprises text (CHANDER - abstract; col. 2, line 1-65; SMS message).

Regarding claim 18, see the rejections of the parent claim regarding the subject matter this claim is dependent upon. The combination of LEE and CHANDER further disclose wherein the broadcasting short message comprises a short message (CHANDER - abstract; col. 2, line 1-65; SMS message).

Regarding claim 21, LEE discloses a method for transmitting information from a mobile communication network (abstract; Figure 1, 2), the method comprising: transmitting first and second information in a general page message over a paging

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channel for a preset paging period in a communication cycle having a plurality of time slots, wherein the first information informs arrival of the broadcasting message and the second information indicates position of a specified slot of the paging channel in said plurality of time slots (paragraph 6, 12-15; broadcast page message is used to *inform a mobile station that broadcast message is transmitted to which location of a slot*, see paragraph 6, and 13); and transmitting a data burst message through the specified slot in the communication cycle, wherein the data burst message includes the broadcasting message (paragraph 6, 12-15; mobile station determines whether to receive broadcast message using information provided by broadcast page; see paragraph 15. Also, see Figure 1 with regards to the broadcast page received in slot 0 to determine location of broadcast message). However, LEE does not expressly disclose wherein the broadcast message is a broadcast short message. In the same field of the endeavor, CHANDER discloses wherein a broadcast message is a broadcast short message [**SMS message**] (abstract; col. 2, line 1-65). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify LEE to include a text broadcast message, such as an short message, as taught by CHANDER, since broadcasting short messages over a paging channel is well known and established in the art of wireless communication.

Regarding claim 25, see the rejections of the parent claim regarding the subject matter this claim is dependent upon. The combination of LEE and CHANDER further disclose wherein the message comprises text (CHANDER - abstract; col. 2, line 1-65; SMS message).

Regarding claim 26, see the rejections of the parent claim regarding the subject matter this claim is dependent upon. The combination of LEE and CHANDER further disclose wherein the broadcasting short message comprises a short message (CHANDER - abstract; col. 2, line 1-65; SMS message).

Regarding claim 31, LEE discloses a method for receiving a broadcasting message in a mobile communication network (abstract; Figure 1, 2), the method comprising: receiving the general page message over a paging channel in accordance with a preset paging period (paragraph 6, 12-15); determining whether first and second information are included in the received general page message (paragraph 6, 12-15; broadcast page message is used to *inform a mobile station that broadcast message is transmitted to which location of a slot*, see paragraph 6, and 13); recognizing the arrival of a broadcasting short message based on the first information and recognizing the position of a specified slot based on the second information (paragraph 6, 12-15); and receiving a data burst message carried on the recognized slot, wherein the data burst message includes the broadcasting message (paragraph 6, 12-15; mobile station determines whether to receive broadcast message using information provided by broadcast page; see paragraph 15. Also, see Figure 1 with regards to the broadcast page received in slot 0 to determine location of broadcast message). However, LEE does not expressly disclose wherein the broadcast message is a broadcast short message. In the same field of the endeavor, CHANDER discloses wherein a broadcast message is a broadcast short message [**SMS message**] (abstract; col. 2, line 1-65). Therefore it would have been obvious to a person of ordinary skill in the art at the time



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the invention was made to modify LEE to include a text broadcast message, such as an short message, as taught by CHANDER, since broadcasting short messages over a paging channel is well known and established in the art of wireless communication.

Regarding claim 35, see the rejections of the parent claim regarding the subject matter this claim is dependent upon. The combination of LEE and CHANDER further disclose wherein the message comprises text (CHANDER - abstract; col. 2, line 1-65; SMS message).

Regarding claim 36, see the rejections of the parent claim regarding the subject matter this claim is dependent upon. The combination of LEE and CHANDER further disclose wherein the broadcasting short message comprises a short message (CHANDER - abstract; col. 2, line 1-65; SMS message).

Regarding claim 41, LEE discloses an apparatus for receiving a broadcasting message in a mobile communication network (abstract; Figure 1 and 2) comprising: a search mechanism for searching a general page message including first and second information for a preset paging period in a communication cycle having a plurality of time slots, wherein the first information informs arrival of the broadcasting message and the second information indicates the position of a specified slot of the paging channel in said plurality of time slots (paragraph 6, 12-15; broadcast page message is used to *inform a mobile station that broadcast message is transmitted to which location of a slot*, see paragraph 6, and 13); and a retrieving mechanism for retrieving the broadcasting message from the specified slot based on the second information, wherein the general page message transmitted over a single paging channel, such that the

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apparatus searches for the first information and the second information in a single communication cycle (paragraph 6, 12-15; mobile station determines whether to receive broadcast message using information provided by broadcast page; see paragraph 15. Also, see Figure 1 with regards to the broadcast page received in slot 0 to determine location of broadcast message). However, LEE does not expressly disclose wherein the broadcast message is a broadcast short message. In the same field of the endeavor, CHANDER discloses wherein a broadcast message is a broadcast short message [**SMS message**] (abstract; col. 2, line 1-65). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify LEE to include a text broadcast message, such as a short message, as taught by CHANDER, since broadcasting short messages over a paging channel is well known and established in the art of wireless communication.

Regarding claim 45, see the rejections of the parent claim regarding the subject matter this claim is dependent upon. The combination of LEE and CHANDER further disclose wherein the broadcasting message comprises text (CHANDER - abstract; col. 2, line 1-65; SMS message).

Regarding claim 46, see the rejections of the parent claim regarding the subject matter this claim is dependent upon. The combination of LEE and CHANDER further disclose wherein the broadcasting short message comprises a short message (CHANDER - abstract; col. 2, line 1-65; SMS message).

### ***Conclusion***

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3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ARIEL BALAOING whose telephone number is (571)272-7317. The examiner can normally be reached on Monday-Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, V. Paul Harper can be reached on (571) 272-7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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